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*Admitted only in Maryland
*Admitted only in Virginia
*Practice Limited to
Federal Agencies

June 8, 2004

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

WRITER'S DIRECT NUMBER:
(202) 772-8834
INTERNET ADDRESS:
BHAANES@SKGF.COM

Art Unit 1646

Re: U.S. Utility Patent Application
Application No. 10/005,842; Filed: December 7, 2001
For: **Death Domain Containing Receptor 5**
Inventor: NI *et al.*
Our Ref: 1488.131000A/EKS/EJH

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fourth Supplemental Information Disclosure Statement;
2. PTO-1449 (19 pages) citing sixty-four (64) documents;
3. Fee Transmittal (PTO/SB/17);
4. Credit Card Payment Form; and
5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
June 8, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Elizabeth J. Haanes", is written over the printed name.

Elizabeth J. Haanes, Ph.D.
Attorney for Applicant
Registration No. 42,613

EJH/M-M:amr
273674.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ni *et al.*

Appl. No.: 10/005,842

Filed: December 7, 2001

For: **Death Domain Containing Receptor 5**

Confirmation No.: 4105

Art Unit: 1646

Examiner: Kaufman, Claire, M.

Atty. Docket: 1488.131000A/EKS/EJH/M-M

Fourth Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fourth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Third Supplemental Information Disclosure Statement filed on May 30, 2003, in connection with the above-captioned application.

Copies of the cited documents were cited by or submitted to the Office in an Information Disclosure Statement that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/042,583, filed March 17, 1998, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of the documents are not attached. 37 C.F.R. § 1.98(d).

The Examiner is referred to the following related, co-pending patent applications:

U.S. Patent Application No. 10/648,825, filed August 27, 2003, inventors Ni et al., cited

as Document **AR33**;

U.S. Patent Application No. 10/774,622, filed February 10, 2004, inventors Ni *et al.*, cited as Document **AS33**.

The Examiner's attention is also directed to the following recently issued U.S. Patent directed to related subject matter: U.S. Patent No. 6,743,625 issued June 1, 2004, and cited as document **AE2**.

The identification of these U.S. Patent Applications is not to be construed as a waiver of secrecy as to this application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

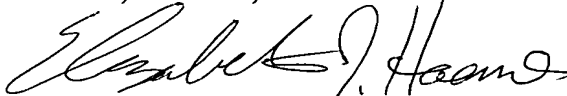
This Fourth Supplemental Information Disclosure Statement is being filed more than three months after the U.S. filing date and before the mailing date of a Final Rejection, or Notice of Allowance. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Elizabeth J. Haanes, Ph.D.
Attorney for Applicants
Registration No. 42,613

Date: June 8, 2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600



PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number	10/005,842
Filing Date	December 7, 2001
First Named Inventor	Jian NI
Examiner Name	Kaufman, Claire M.
Art Unit	1646
Attorney Docket No.	1488.131000A/EKS/EJH

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit card ☐ Money Order ☒ Other** ☐ None☐ *Charge any deficiencies or credit any overpayments in Deposit Account: the fees to Deposit Acct. No. 19-0036Deposit Account Number
Deposit Account Name

19-0036

Sterne, Kessler, Goldstein & Fox P.L.L.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent Claims	- 20 **		X				
Multiple Dependent	- 3 **		X				

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES****Large Entity - Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Elizabeth J. Haanes, Ph.D.	Registration No. (Attorney/Agent)	42,613	Telephone	(202) 371-2600
Signature		Date	June 8, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



FORM PTO-1449

PRIORITY DOCKET NO.
133.131000AEKS/EJH/M-MAPPLICATION NO.
10/005,842FIRST NAMED INVENTOR
Ni et al.FILING DATE
December 7, 2001ART UNIT
1646FOURTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB2	6,743,625	06/01/2004	Ni et al.			06/06/2001
	AC2	6,461,823	10/08/2002	Ni et al.			11/24/1999
	AD2	6,342,363	01/29/2002	Ni et al.			01/27/1998
	AE2	6,433,147	08/13/2002	Ni et al.			05/05/2000
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL4	WO 98/41629 A2 & A3	09/24/1998	WIPO			Yes No
	AM4	EP 1 181 319 A0	12/07/2000	Europe			Yes No
	AN4	EP 1 192 185 A0	12/14/2000	Europe			Yes No
	AO4	EP 1 287 035 A1	03/05/2003	Europe			Yes No
	AP						Yes No

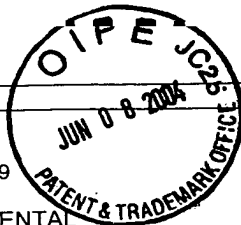
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>15</u>	Allison, J., et al., "Transgenic expression of CD95 ligand on islet β cells induces a granulocytic infiltration but does not confer immune privilege upon islet allografts," <i>Proc. Natl. Acad. Sci. USA</i> 94:3943-3947, National Academy Press (April 1997)
	AS	<u>15</u>	Allison, J., and Strasser, A., "Mechanisms of β cell death in diabetes: A minor role for CD95," <i>Proc. Natl. Acad. Sci. USA</i> 95:13818-13822, National Academy Press (November 1998)
	AT	<u>15</u>	Bodmer, J.-L., et al., "TRAMP, a Novel Apoptosis-Mediating Receptor with Sequence Homology to Tumor Necrosis Factor Receptor 1 and Fas(Apo-1/CD95)," <i>Immunity</i> 6:79-88, Cell Press (January 1997)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FORM PTO-1449

FOURTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
1488.131000AEKS/EJH/M-MAPPLICATION NO.
10/005,842FIRST NAMED INVENTOR
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>16</u>	Boldin, M.P., <i>et al.</i> , "A Novel Protein That Interacts with the Death Domain of Fas/APO1 Contains a Sequence Motif Related to the Death Domain," <i>J. Biol. Chem.</i> 270:7795-7798, American Society for Biochemistry and Molecular Biology, Inc. (1995)
	AS	<u>16</u>	Chicheportiche, Y., <i>et al.</i> , "TWEAK, a New Secreted Ligand in the Tumor Necrosis Factor Family That Weakly Induces Apoptosis," <i>J. Biol. Chem.</i> 272:32401-32410, American Society for Biochemistry and Molecular Biology, Inc. (December 1997)
	AT	<u>16</u>	Chinnaiyan, A.M., <i>et al.</i> , "FADD, a Novel Death Domain-Containing Protein, Interacts with the Death Domain of Fas and Initiates Apoptosis," <i>Cell</i> 81:505-512, Cell Press (1995)

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No


OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	17	Clerici, M., <i>et al.</i> , "Type 1 and Type 2 Cytokines in HIV Infection - A Possible Role in Apoptosis and Disease Progression," <i>Ann. Med.</i> 29:185-188, Finnish Medical Society DUODECIM (June 1997)
AS	17	Degli-Esposti, M.A., <i>et al.</i> , "Cloning and Characterization of TRAIL-R3, a Novel Member of the Emerging TRAIL Receptor Family," <i>J. Exp. Med.</i> 186:1165-11170, Rockefeller University Press (October 1997)
AT	17	Degli-Esposti, M.A., <i>et al.</i> , "The Novel Receptor TRAIL-R4 Induces NF- κ B and Protects against TRAIL-Mediated Apoptosis, yet Retains an Incomplete Death Domain," <i>Immunity</i> 7:813-820, Cell Press (December 1997)

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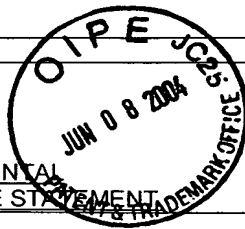
Page 4 of 19							
FORM PTO-1449 FOURTH SUPPLEMENTARY INFORMATION DISCLOSURE STATEMENT	<div style="text-align: center;">  </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">ATTY. DOCKET NO. 1488.131000AEKS/EJH/M-M</td> <td style="width: 50%;">APPLICATION NO. 10/005,842</td> </tr> <tr> <td colspan="2">FIRST NAMED INVENTOR Ni <i>et al.</i></td> </tr> <tr> <td>FILING DATE December 7, 2001</td> <td>ART UNIT 1646</td> </tr> </table>	ATTY. DOCKET NO. 1488.131000AEKS/EJH/M-M	APPLICATION NO. 10/005,842	FIRST NAMED INVENTOR Ni <i>et al.</i>		FILING DATE December 7, 2001	ART UNIT 1646
ATTY. DOCKET NO. 1488.131000AEKS/EJH/M-M	APPLICATION NO. 10/005,842						
FIRST NAMED INVENTOR Ni <i>et al.</i>							
FILING DATE December 7, 2001	ART UNIT 1646						

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FOREIGN PATENT DOCUMENTS							
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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
	AR	18	Duan, H. and Dixit, V.M., "RAIDD is a new 'death' adaptor molecule," <i>Nature</i> 385:86-89, Macmillan Publishers, Ltd. (January 1997)
	AS	18	Frankfurt, O.S., <i>et al.</i> , "Protection from Apoptotic Cell Death by Interleukin-4 is Increased in Previously Treated Chronic Lymphocytic Leukemia Patients," <i>Leuk. Res.</i> 21:9-16, Elsevier Science, Ltd (January 1997)
	AT	18	Gooch, J.L., <i>et al.</i> , "Interleukin 4 Inhibits Growth and Induces Apoptosis in Human Breast Cancer Cells," <i>Cancer Res.</i> 58:4199-4205, American Association for Cancer Research (September 1998)

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	



FORM PTO-1449

FOURTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
1488.131000AEKS/EJH/M-MAPPLICATION NO.
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	AN						Yes No
	AO						Yes No
	AP						Yes No

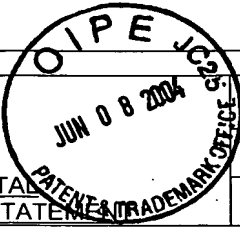
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>19</u>	Grell, M., <i>et al.</i> , "Induction of cell death by tumour necrosis factor (TNF) receptor 2, CD40 and CD30: a role for TNF-R1 activation by endogenous membrane-anchored TNF," <i>EMBO J.</i> 18:3034-3043, Oxford University Press (June 1999)
	AS	<u>19</u>	Hardiman, G., <i>et al.</i> , "Genetic Structure and Chromosomal Mapping of MyD88," <i>Genomics</i> 45:332-339, Academic Press (October 1997)
	AT	<u>19</u>	Hildeman, D.A., <i>et al.</i> , "Activated T Cell Death In Vivo Mediated by Proapoptotic Bcl-2 Family Member Bim," <i>Immunity</i> 16:759-767, Cell Press (June 2002)

EXAMINER

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FORM PTO-1449 FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT			ATTY. DOCKET NO. 1488.131000AEKS/EJH/M-M FIRST NAMED INVENTOR Ni <i>et al.</i> FILING DATE December 7, 2001	APPLICATION NO. 10/005,842 ART UNIT 1646
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	AP						Yes
							No

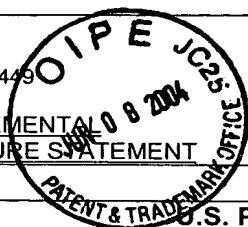
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>20</u>	Hill, M.E., <i>et al.</i> , "Prognostic Significance of BCL-2 Expression and <i>bcl-2</i> Major Breakpoint Region Rearrangement in Diffuse Large Cell Non-Hodgkin's Lymphoma: A British National Lymphoma Investigation Study," <i>Blood</i> 88:1046-105, American Society of Hematology (August 1996)
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FORM PTO-1449

FOURTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
1488.131000AEKS/EJH/M-MAPPLICATION NO.
10/005,842FIRST NAMED INVENTOR
Ni *et al.*FILING DATE
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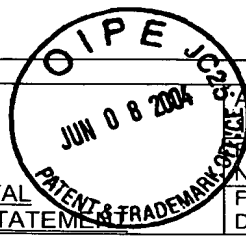
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AS	<u>21</u>	Hsu, H., <i>et al.</i> , "TRADD-TRAF2 and TRADD-FADD Interactions Define Two Distinct TNF Receptor 1 Signal Transduction Pathways," <i>Cell</i> 84:299-308, Cell Press (January 1996)
AT	<u>21</u>	Huang, D.C.S., <i>et al.</i> , "Activation of Fas by FasL induces apoptosis by a mechanism that cannot be blocked by Bcl-2 or Bcl-x _L ," <i>Proc. Natl. Acad. Sci. USA</i> 96:14871-14876, National Academy Press (December 1999)

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	AR	<u>22</u>	Huang, D.C.S., et al., "Bcl-2, Bcl-x _L and adenovirus protein E1B19kD are functionally equivalent in their ability to inhibit cell death," <i>Oncogene</i> 14:405-414, Stockton Press (January 1997)
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	AT	<u>22</u>	Irmeler, M., et al., "Inhibition of death receptor signals by cellular FLIP," <i>Nature</i> 388:190-195, Macmillan Publishers, Ltd. (July 1997)

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FORM PTO-1449 FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	<div style="text-align: center;"> </div> <div style="display: flex; justify-content: space-between;"> <div> ATTY. DOCKET NO. 1488.131000AEKS/EJH/M-M FIRST NAMED INVENTOR Ni et al. FILING DATE December 7, 2001 </div> <div> APPLICATION NO. 10/005,842 ART UNIT 1646 </div> </div>

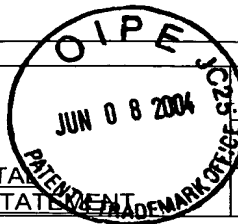
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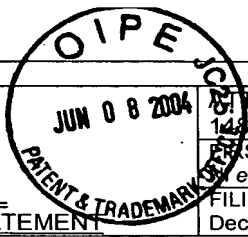


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AR	<u>24</u>	Lotem, J., and Sachs, L., "Hematopoietic Cytokines Inhibit Apoptosis Induced by Transforming Growth Factor β 1 and Cancer Chemotherapy Compounds in Myeloid Leukemic Cells," <i>Blood</i> 80:1750-1757, American Society of Hematology (1992)	
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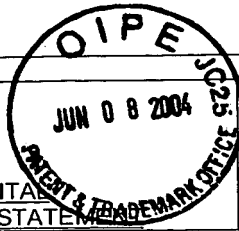
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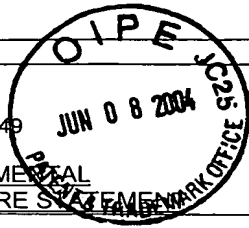
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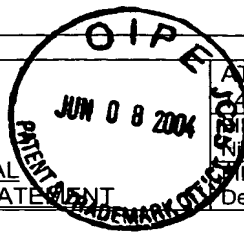
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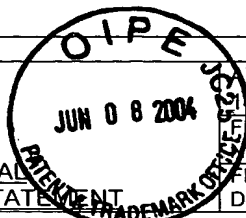
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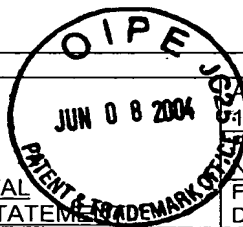


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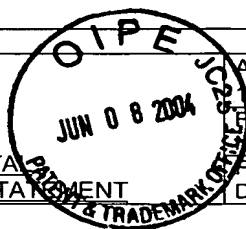
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	AS	<u>30</u>	Villunger, A., et al., "Fas Ligand, Bcl-2, Granulocyte Colony-Stimulating Factor, and p38 Mitogen-activated Protein Kinase: Regulators of Distinct Cell Death and Survival Pathways in Granulocytes," <i>J. Exp. Med.</i> 192:647-657, Rockefeller University Press (September 2000)
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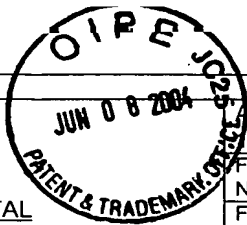
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	AS	<u>31</u>	Watanabe-Fukunaga, R., <i>et al.</i> , "Lymphoproliferation disorder in mice explained by defects in Fas antigen that mediates apoptosis," <i>Nature</i> 356:314-317, Macmillan Publishers, Ltd. (1992)
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
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	AD						
	AE						
	AF						
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	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>33</u>	Copy of co-pending U.S. Application No. 10/648,825, inventors Ni <i>et al.</i> , filed August 27, 2003
	AS	<u>33</u>	Copy of co-pending U.S. Application No. 10/774,622, inventors Ni <i>et al.</i> , filed February 10, 2004
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